

### REMARKS/ARGUMENTS

The claims are 2-9 and 11-34. Claim 10 has been rewritten in independent form as new claim 34. Accordingly, claims 1 and 10 have been canceled, and claims 2-5, which previously depended on claim 1, have been amended to depend on new claim 34, and claims 11-13, which previously depended on claim 10, have been amended to depend on new claim 34 as well. In addition, claims 7 and 33 have been amended to depend on claim 5, and claims 8, 14, 26 and 30 have been amended to depend on claims 7, 12, 14 and 26, respectively. These claims and the remaining claims have also been amended to improve their form. The Abstract of the Disclosure has also been amended. Reconsideration is expressly requested.

The Abstract of the Disclosure was objected to as not being a single paragraph. In response, Applicant has amended the Abstract so that it is one paragraph and to improve its form, which it is respectfully submitted overcomes the Examiner's objection to the Abstract.

Claims 3, 4 and 19 were objected to on the basis of certain informalities set forth on page 2 of the Office Action and claims 1-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for the reasons set forth on pages 2-6 of the Office Action. In response, Applicant has canceled claims 1 and 10 in favor of new claim 34 and has amended claims 2-9 and 11-33 to improve their form. It is respectfully submitted that all currently pending claims fully comply with 35 U.S.C. 112, second paragraph, and Applicant respectfully requests that the rejection on this basis and the basis of the informalities set forth in the Office Action be withdrawn.

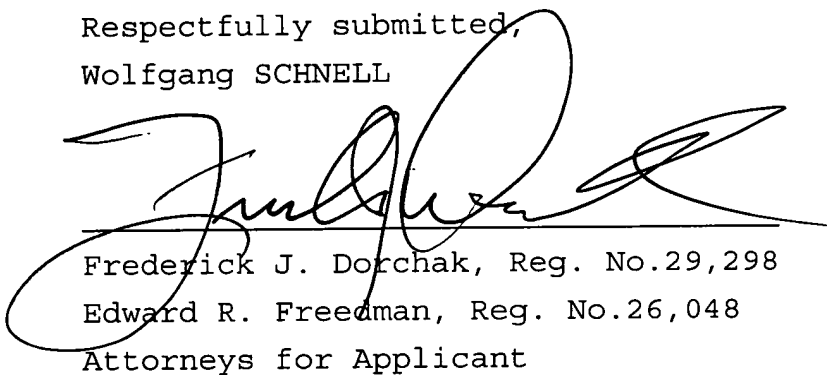
Claims 1-4 and 7 were rejected under 35 U.S.C. 102(e) as being anticipated by *Green U.S. Patent No. 7,065,175*. Claims 5, 6, 8 and 9 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Green* in view of *Carver et al. U.S. Patent No. 6,542,580*. Claims 26-29 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Green* in view of *Wijts et al. U.S. Patent No. 6,563,904*. Claims 30-33 were rejected under 35 U.S.C. 103(a)

as being unpatentable over Green. The Examiner, however, did not make any prior art rejections of claims 10-25.

In response, without conceding the propriety of the Examiner's rejection and in order to expedite prosecution of this case, Applicant has rewritten claim 10 in independent form as new claim 34, has amended claims 2-5 and 11-13 to depend on new claim 34, has amended claims 7 and 33 to depend on claim 5, has amended claims 8, 14, 26 and 30 to depend on claims 7, 12, 14 and 26, respectively, and has canceled claims 1 and 10. All currently pending dependent claims depend directly or indirectly on new claim 34, corresponding substantially to claim 10, for which no prior art rejection has been made. Accordingly, it is respectfully submitted that all currently pending claims are now in condition for allowance.

In summary, claims 1 and 10 have been canceled, claims 2-9 and 11-33 have been amended, and new claim 34 has been added. The Abstract of the Disclosure has also been amended. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,  
Wolfgang SCHNELL



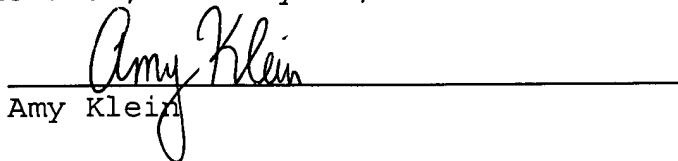
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Enclosure: Abstract of the Disclosure (amended)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 13, 2009.



Amy Klein

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Abstract **ABSTRACT OF THE DISCLOSURE**

~~The invention relates to a~~ A device for ~~destruction-free~~ non-destructive inspection of a conveyor belt (1) made ~~of elastomer~~ from an elastomeric material, ~~having~~ has a carrying side for the goods to be conveyed, ~~and a running side, as well as having~~ and an embedded strength support, whereby the conveyor belt ~~moves~~ is set in motion. ~~According to the invention, a~~ A radiation source (4) emits rays in the direction of the belt surface, which rays are so energy-rich that they pass through the conveyor belt, whereby a process computer (15) evaluates the result of the irradiation test.

~~Advantageous configuration variants of the invention are presented.~~